



PTO/SB/30 (05-03)

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3/RCE 1700

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
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Alexandria, VA 22313-1450

|                        |                    |
|------------------------|--------------------|
| Application Number     | 09/626,684         |
| Filing Date            | July 27, 2000      |
| First Named Inventor   | Thomas J. Nachtman |
| Art Unit               | 1711               |
| Examiner Name          | John M. Cooney     |
| Attorney Docket Number | 1-22612            |

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☒ Other Amendment Transmittal (Small Entity)

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 13-0005 - \$430.00

i. ☒ RCE fee required under 37 CFR 1.17(e) 08/29/2003 MBERHE 00000002 130005 09626684

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:2801 375.00 DA

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

|                     |                       |                                     |                 |
|---------------------|-----------------------|-------------------------------------|-----------------|
| Name (Print / Type) | Gary M. Sutter        | Registration No. (Attorney / Agent) | 31,574          |
| Signature           | <i>Gary M. Sutter</i> | Date                                | August 25, 2003 |

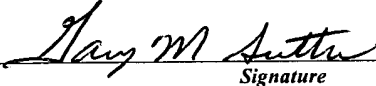

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

|                     |                          |      |                 |
|---------------------|--------------------------|------|-----------------|
| Name (Print / Type) | Wanda J. Lawrence        | Date | August 25, 2003 |
| Signature           | <i>Wanda J. Lawrence</i> |      |                 |

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

|   |                                     |                                   |   |         |                   |
|---|-------------------------------------|-----------------------------------|---|---------|-------------------|
| <b>AMENDMENT TRANSMITTAL LETTER (Small Entity)</b>  |                                     |                                   | Docket No.<br><b>1-22612</b>  |         |                   |
| Applicant(s): <b>Thomas J. Nachtman et al.</b>  |                                     |                                   |   |         |                   |
| Serial No.<br><b>09/626,684</b>   | Filing Date<br><b>July 27, 2000</b> | Examiner<br><b>John M. Cooney</b> | Group Art Unit<br><b>1711</b>   |         |                   |
| Invention: <b>SPRAYABLE COMPOSITION AND METHOD FOR FORMING<br/>A FOAMED OUTDOOR PROTECTIVE COVER LAYER</b>  |                                     |                                   |   |         |                   |
| <u>TO THE COMMISSIONER FOR PATENTS:</u>   |                                     |                                   |   |         |                   |
| Transmitted herewith is an amendment in the above-identified application.   |                                     |                                   |   |         |                   |
| <input checked="" type="checkbox"/> Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.<br><input type="checkbox"/> A verified statement to establish Small Entity status under 37 FR 1.27 is enclosed.  |                                     |                                   |   |         |                   |
| The fee has been calculated and is transmitted as shown below.  |                                     |                                   |   |         |                   |
| <b>CLAIMS AS AMENDED</b>  |                                     |                                   |   |         |                   |
|   | CLAIMS REMAINING<br>AFTER AMENDMENT | HIGHEST #<br>PREV. PAID FOR       | NUMBER EXTRA<br>CLAIMS PRESENT  | RATE    | ADDITIONAL<br>FEE |
| TOTAL CLAIMS  | 4 -                                 | 20 =                              | 0 x   | \$9.00  | \$0.00            |
| INDEP. CLAIMS   | 1 -                                 | 3 =                               | 0 x   | \$42.00 | \$0.00            |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/>  |                                     |                                   |   |         | \$0.00            |
| <b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>  |                                     |                                   |   |         | <b>\$0.00</b>     |
| <input checked="" type="checkbox"/> No additional fee is required for amendment.<br><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____<br><input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.<br><input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. <b>13-0005</b><br><input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.<br><input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. |                                     |                                   |   |         |                   |
| <br>_____<br>Signature   |                                     |                                   | Dated: <b>August 25, 2003</b>   |         |                   |
| <b>Gary M. Sutter - Reg. No. 31,574</b><br><b>MacMillan, Sobanski &amp; Todd, LLC</b><br><b>One Maritime Plaza, Fourth Floor</b><br><b>720 Water Street</b><br><b>Toled , Ohio 43604-1853</b><br><b>(419) 255-5900</b>  |                                     |                                   | <div style="border: 1px solid black; padding: 5px;">         I certify that this document and fee is being deposited on Aug. 25, 2003 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.<br/><br/> <br/>         Signature of Person Mailing Correspondence<br/><br/> <b>Wanda J. Lawrence</b><br/>         Typed or Printed Name of Person Mailing Correspondence       </div> |         |                   |
| CC:   |                                     |                                   |   |         |                   |



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I hereby certify that this document is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date set forth below.

Handa J. Lawrence  
(signature)

Date of signature and deposit - 08-25-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                            |   |                         |
|----------------------------|---|-------------------------|
| In re Application of:      | ) |                         |
| THOMAS J. NACHTMAN et al.  | ) | Group Art Unit 1711     |
|                            | ) |                         |
| Serial No. 09/626,684      | ) |                         |
|                            | ) | Examiner John M. Cooney |
| Filed: July 27, 2000       | ) |                         |
|                            | ) |                         |
| For: SPRAYABLE COMPOSITION | ) | Attorney Docket 1-22612 |
| AND METHOD FOR FORMING     | ) |                         |
| A FOAMED OUTDOOR           | ) |                         |
| PROTECTIVE COVER LAYER     | ) |                         |

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT

Honorable Sir:

Please amend the above-identified application as indicated on the following pages.

Respectfully submitted,

Gary M. Sutter  
Gary M. Sutter  
Reg. No. 31,574

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